

Docket No.: 112676-123 US1

PATENT/OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Reno R. ROLLE :
Serial No. 09/711,131 : Group Art Unit: 1761
Filed: 14 November 2000 : Examiner: George Chan Pui Yeung
For: FOOD COOKING SYSTEM WITH :
ULTRASONIC ROTATIONAL BASKET :

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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NOV 25 2003
TC 1700

Sir:

TERMINAL DISCLAIMER PURSUANT TO 37 CFR § 1.321(b)

Reno R. Rolle (Your Petitioner), a citizen of the United States and having an office at 537 Del Oro, Ojai, CA 93023, United States of America, represents that he is an inventor, and the Assignee of the entire right, title and interest in and to U.S. Application Serial No. 09/711,131, entitled FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET filed on 14 November 2000, by virtue of an Assignment executed by co-inventor Mark M. Laisure on September 14, 2001, and filed for recordation on October 22, 2001 (copy attached), and by virtue of "Decision Granting Status Under 37 CFR 1.147(a)" with respect to co-inventor Christopher M. Goggin, mailed November 15, 2001 (copy attached).

Your Petitioner hereby disclaims the terminal part of any patent granted on said U.S. Application Serial No. 09/711,131, which would extend beyond the expiration date of U.S. Patent No. 6,165,525 and any patent(s) which issue therefrom.

Your Petitioner further agrees that any patent issuing on said U.S. Patent Application Serial No. 09/711,131 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,165,525 and any patent(s) which issue therefrom, this agreement to run with any patent granted on said U.S. Patent Application Serial No. 09/711,131 and to be binding upon the grantee, its successor or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§§§ 154, 155, 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent

Serial No. 09/711,131

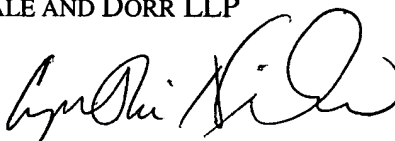
jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned Attorney of Record further declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please charge the \$55.00 Disclaimer fee to Deposit Account Number 08-0219.

Respectfully submitted,

HALE AND DORR LLP

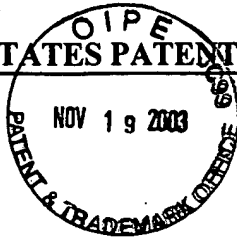


Cynthia K. Nicholson
Registration No. 36,880

1455 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
TEL 202.942.8482
FAX 202.942.8484
Date: November 19, 2003



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Paper No. 5

HALE AND DORR LLP
THE WILLARD OFFICE BUILDING
1455 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20004

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OFFICE OF PETITIONS

In re Application of *112676.123*
Reno R. Rolle et al.
Application No. 09/711,131
Filed: November 14, 2000
For: FOOD COOKING SYSTEM WITH
ULTRASONIC ROTATIONAL BASKET

:
:
: DECISION GRANTING
: STATUS UNDER 37 CFR 1.47(a)
:
:

This is in response to the "Petition Under 37 CFR 1.47(a)," filed October 22, 2001.

The petition is granted.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status. As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries regarding this decision should be directed to Irvin Dingle at (703) 306-5684.

This application is being forwarded to the Initial Patent Examination Unit.

Frances Hicks
Frances Hicks

Lead Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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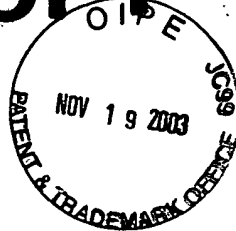
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Paper No. 6

CHRISTOPHER GOGGIN
637 WILD DUNES CIRCLE
WILMINGTON, NC 28411



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OFFICE OF PETITIONS

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In re Application of

Reno R. Rolle; Christopher M. Goggin; Mark M. Laisure

Application No. 09/711,131

Filed: November 14, 2000

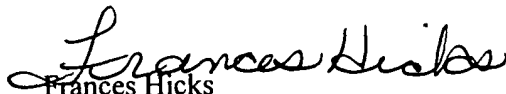
For: FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET

Dear Mr. Goggin:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the Irvin Dingle at (703) 306-5684. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1 (800) 972-6382 (outside the Washington D.C. area).



Frances Hicks

Lead Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner
for Patent Examination Policy

cc:

Hale And Dorr LLP
The Willard Office Building
1455 Pennsylvania Avenue, NW
Washington, DC 20004

HALE and DORR LLP
1455 Pennsylvania Avenue, NW
Washington, DC 20004
(202) 942-8400

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Applicant(s): **ROLLE et al.** Application: **09/711,131**
Filing Date: **November 14, 2000** Atty Docket No.: **112676.123** CKN: sed
Entitled: **FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET**

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

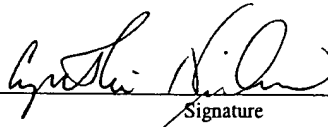
- ☒ [X] Response to Notice of Missing Parts of Application
- ☒ [X] Petition Under 37 C.F. R. § 1.47(a)
- ☒ [X] Declaration and Power of Attorney
- ☒ [X] Affidavit and 22 pages of documents
- ☒ [X] Assignment and Recordation Form Cover Sheet
- ☒ [X] Petition for Extension of Time
- ☒ [X] Authorization to charge Deposit Account 08-0219 \$2,130.00



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FORM PTO-1596 1-31-92 Patent and Trademark Office		RECORDATION FORM COVER SHEET U.S. DEPARTMENT OF COMMERCE	
DOCKET NO.: 112676.123		PATENTS ONLY	
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereto:			
1. Name of conveying party(ies): Mark M. LAISURE Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies): Name: <u>Reno R. Rolle</u> Internal Address: _____ Street Address: <u>6010 Greatwood Terrace</u> City: <u>Alpharetta</u> State/Country: <u>GA</u> ZIP: <u>30005</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>September 14, 2001</u>		RECEIVED NOV 25 2 TC 1700	
4. Application number(s) or patent number(s): If the document is being filed together with a new application, the execution date of the application is: A. Patent Application No(s). <u>09/711,131 filed November 14, 2000</u> B. Patent No(s). Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>HALE AND DORR LLP</u> Internal Address: _____ Street Address: <u>1455 Pennsylvania Ave., N.W.</u> City: <u>Washington</u> State: <u>DC</u> ZIP: <u>20004</u>		6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41) <u>\$40.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: <u>08-0219</u>	
DO NOT USE THIS SPACE			
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> <u>Cynthia K. Nicholson No. 36,880</u> <u></u> <u>10-22-01</u> Name and Registration No. of Person Signing Signature Date Total number of pages comprising cover sheet: <u>1</u>			
CMB No. 0851-0011 (exp. 4/94)			

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Docket No.: 112144.126

ASSIGNMENT

WHEREAS I/WE, Christopher M. Goggin of Wilmington, North Carolina and Mark M. Laisure of Atlanta, Georgia, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled: FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET, executed by me/us on the date of execution of this document, as shown below, and for which an application for United States Letters Patent was filed on November 14, 2000, and identified by United States Serial No. 09/711,131;

AND WHEREAS, Reno R. Rolle, a citizen of the United States of American and having an address of 6010 Greatwood Terrace, Alpharetta, GA 30005, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, I/We do hereby sell, assign, transfer and set over unto Reno R. Rolle, his legal representatives, successors, and assigns, the entire right, title and interest in and to said invention as set forth in the above-mentioned application, including Continuation Application Serial No. 09/406,817 filed September 28, 1999, any patent applications in the United States and foreign countries, and any original applications, formal applications, continuation applications, continuations-in-part applications, continued prosecution applications, request for continued examination applications, divisional applications, reissue applications, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention, and all rights to claim priority therefrom and/or thereto; and any copyright or designs associated with or in said invention; and all rights of action and damages for any past, present or future infringement relating thereto, including all rights of actions and damages from publication of the patent applications and/or issuance of any patent relating thereto;

UPON SAID CONSIDERATIONS, I/We hereby agree with the said assignee that I/We will not execute any writing or do any act whatsoever conflicting with these presents, and that I/We will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

The undersigned hereby grant(s) the firm of HALE and DORR LLP the power to insert on this Assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

AND I/We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said Reno R. Rolle, his legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

Christopher M. Goggin

Mark M. Laisure

Date

9/14/01
Date